



## Laos

### Country Reports on Human Rights Practices - [2001](#)

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The Lao People's Democratic Republic is an authoritarian, Communist, one-party state ruled by the Lao People's Revolutionary Party (LPRP). Although the 1991 Constitution outlines a system composed of executive, legislative, and judicial branches, in practice the LPRP continued to control governance and the choice of leaders through its constitutional "leading role" at all levels. The 99-member National Assembly, elected in 1997 under a system of universal suffrage, approved the LPRP's selection of the President in 1998, and ratified the President's selection of a new Prime Minister in March. The judiciary is subject to executive influence.

The Ministry of Interior (MOI) maintains internal security but shares the function of state control with party and popular fronts (broad-based organizations controlled by the LPRP). The Ministry of Foreign Affairs is responsible for the monitoring and oversight of foreigners working in the country, although in practice MOI elements conduct the actual monitoring. The MOI includes local police, security police (including border police), and other armed police units. Communication police are responsible for monitoring telephone and electronic communications. The armed forces are responsible for external security but also have some domestic security responsibilities that include counterterrorism and counterinsurgency activities. Civilian authorities generally maintain effective control over the security forces. Some members of the security forces committed serious human rights abuses.

Laos is an extremely poor country with a population of 5.2 million. The economy is principally agricultural, with 85 percent of the population engaged in subsistence agriculture. Since 1986 the Government largely has abandoned most of its socialist economic policies, although in practice the domination of the state-owned banks and enterprises and an apparent lack of conviction in improving the investment climate indicate a reluctance to discard socialist models. Economic reforms only recently have begun to move the country gradually from a centrally planned system to a market-oriented economy open to foreign investment with a growing legal framework, including laws to protect property rights. The country is heavily dependent on official foreign aid and on remittances from Lao living abroad.

The Government's human rights record remained poor throughout the year, and there were a number of serious problems. Citizens do not have the right to change their government. There were credible reports that security personnel in a remote village killed a noncombatant civilian in the course of making arrests. At times members of the security forces abused detainees, especially those suspected of insurgent or antigovernment activity. Prisoners are abused and tortured, and prison conditions generally are extremely harsh and life threatening. Police used arbitrary arrest, detention, and surveillance. Lengthy pretrial detention and incommunicado detention are problems. The judiciary is subject to executive influence, is corrupt, and does not ensure citizens' due process. The Government infringed on citizens' privacy rights. The Government restricts freedom of speech, the press, assembly, and association. However, it permitted some access to the foreign press and the Internet. The Government restricts freedom of religion. During the year, police and provincial authorities arrested and detained approximately 60 members of Christian churches. At least 13 members of religious communities remained in custody at year's end. Forced renunciation campaigns and church closings intensified in some areas. The Government imposes some restrictions on freedom of movement. Some societal discrimination against women and minorities persists, although the Government actively supported a policy of encouraging greater rights for women, children, persons with disabilities, and minorities. The Government restricts some worker rights. Trafficking in women and children is a problem.

Beginning in 2000, a series of bombings occurred in urban areas. These bombings continued into the early part of the year, and caused some injuries. No group claimed responsibility for these acts. The authorities attributed at least one of the bombings to terrorists or "ill-intentioned persons."

There were no reports of attacks on government forces by the organized Hmong insurgent group, the Chao Fa, during the year. In December another insurgent group attacked a village in Xieng Khouang Province and burned several houses, but there were no reported deaths or injuries among villagers.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports of politically motivated killings by government officials during the year. There continued to be isolated, unconfirmed reports of deaths at the hands of security forces in remote areas, often in connection with private disputes and the personal abuse of authority.

In March, during armed actions against insurgents, government forces attempted to detain a number of villagers in Saysomboune Special District. In the course of the arrests, one villager was shot and killed (see Section 1.c.). Several villagers were detained, but subsequently were released, reportedly on the understanding that they would not bring the incident to the attention of the central authorities.

In November a Lao Evangelical Church pastor was shot and killed by an unknown assailant near his home in Sayaboury Province. Authorities in Sayaboury suggested that the killing may have been the result of a personal dispute, possibly related to the pastor's religious activities (see Section 5).

A series of bombings in urban areas began in 2000 and continued into the year; however, unlike 2000, no one was killed in the explosions (see Section 1.c.).

There were no reports of attacks on government forces by the organized Hmong insurgent group, the Chao Fa, during the year.

#### b. Disappearance

There were no reports of politically motivated disappearances during the year. In 1999 two foreign nationals disappeared near the northwest border with Thailand allegedly after entering the country. At year's end, the disappearances remain unresolved.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution and the Penal Code prohibit torture; however, in practice members of the security forces subjected prisoners to torture and other abuses. Credible sources reported that detainees routinely were subjected to beatings, long-term solitary confinement in completely darkened rooms, and burning from cigarettes. In some cases detainees reportedly are held in leg chains or wooden stocks. Three Hmong religious leaders arrested in May were kept shackled for much of their 2-month incarceration and required medical treatment on release for injuries resulting from their confinement.

The Government did not address the numerous reports made by groups outside the country regarding use of torture and abusive treatment by government authorities.

A series of bombings in urban areas began in 2000 and continued into the year; however, unlike 2000, no one was killed in the explosions. In January an explosion at the Lao-Thai Friendship Bridge injured several bystanders. No one claimed responsibility for the incident. Officials attributed it to terrorists or "ill-intentioned persons." In February a small explosion occurred next to the dry goods market in Luang Prabang; no one was injured. There were no arrests in connection with these incidents, nor was there any reported progress in the investigation into the 2000 bombings, which resulted in at least one death.

In late December, an insurgent group attacked a village in northern Xieng Khouang Province, burning five homes and killing some livestock. Press reports indicated that no one was killed or injured in the attack. There were no reports of attacks on government forces by the organized Hmong insurgent group, the Chao Fa, during the year. There also were no reports of attacks on official or civilian travelers in the central and north central regions. Nonetheless, the Government remained concerned about the safety of foreign tourists and aid workers in remote areas of that region.

Prison conditions generally are extremely harsh and life threatening. Food rations are minimal, and most prisoners rely on their families for their subsistence. The Government discriminates in its treatment of prisoners, restricting the family visits of some and prohibiting visits to a few. Credible reports indicate that ethnic minority prisoners and some foreign prisoners are treated particularly harshly. Prison authorities use degrading treatment, solitary confinement, and incommunicado detention against perceived problem prisoners, especially suspected insurgents. On occasion the authorities used incommunicado detention as an interrogation method; in isolated cases, this was life threatening when prisoners were detained in such conditions for lengthy periods. There are confirmed reports that a few jails place prisoners in leg chains, wooden stocks, or fixed hand manacles for extended periods (see Section 2.c.). Medical facilities are extremely poor or nonexistent. Some prisoners have died as a result of abusive treatment and lack of medical care. According to credible reports, at least one inmate in a Vientiane prison died of an apparent heart attack when medical care was intentionally withheld for several hours. Prison conditions for women are similar to those for men. Prisons hold both male and female prisoners, although they are placed in separate cells. Juveniles are housed together with adult prisoners.

Several international human rights groups continued their longstanding requests to the Government to move two political prisoners to a prison with better conditions, including more modern medical facilities (see Section 1.e.). The Government continued to ignore these pleas.

The Government does not permit independent monitoring of prison conditions, and has denied the International Committee of the Red Cross access to its prisons.

#### d. Arbitrary Arrest, Detention, or Exile

The law provides for arrest warrants issued by the prosecutor, and the Constitution provides for procedural safeguards; however, in practice the Government does not respect these provisions, and arbitrary arrest and detention remain problems. Police sometimes use arrest as a means of intimidation or to extract bribes. Police exercise wide latitude in making arrests, relying on exceptions to the requirement for arrest warrants for those in the act of committing a crime or for "urgent" cases. Incommunicado detention is a problem (see Section 1.c.). There is a 1-year statutory limit for detention without trial; the length of detention without a pretrial hearing or formal charges by law also is limited to 1 year. However, these limits often are ignored in practice. The Office of the Prosecutor General must authorize police to hold a suspect pending investigation. Authorization is given in 3-month increments, and, after a maximum of 1 year, a suspect must be released if police do not have sufficient evidence to bring charges. Access to family or a lawyer is not assured. There is a bail system, but its implementation is arbitrary. A statute of limitations applies to most crimes. In practice, alleged violations of security laws have led to lengthy pretrial detentions without charge and minimal due process protection of those detained. Reports indicated that some students, teachers, and their associates who had staged protests in 1999 remained in detention without trial at year's end. These persons peacefully had advocated multiparty democracy and increased political freedom and had expressed hostility to the regime. Their detention without trial, now in its 3rd year, violates the 1-year statutory limit.

During the year, government authorities arrested and detained more than 60 Christians, at times holding them in custody for months (see Section 2.c.). Those detained without trial at year's end for their religious activities include: One person in Phongsaly; one person in Houaphan; and six persons in Savannakhet (see Section 2.c.). Seven lowland Lao men who returned from China have been detained without trial since 1997. An eighth member of this group was released during the year (see Section 2.c.).

In March government forces detained several villagers in Saysomboune Special District, but subsequently released them on the condition that the villagers not report the security forces shooting of one of the villagers during the incident (see Section 1.a.).

Police in some instances administratively overrule court decisions, at times detaining a defendant exonerated by the court, in violation of the law (see Section 1.e.). There are no known instances of the police being reprimanded or punished for such behavior.

Three former government officials detained in 1990 for advocating a multiparty system and criticizing restrictions on political liberties were not tried until 1992. One died in prison since that time. Also in 1992, the court tried and handed down life sentences to three men detained since 1975 for crimes allegedly committed during their tenure as officials of the previous regime. One of these persons reportedly had died in prison.

An estimated 100 to 200 persons are in detention for suspicion of violations of national security. Most of these detainees are held without trial; one person has been detained since 1992.

The Government does not use forced exile; however, a small group of persons who fled the country at the time of the change in government in 1975, and who were tried in absentia for antigovernment activities, does not have the right of return (see Section 2.d.).

#### e. Denial of Fair Public Trial

The Constitution provides for the independence of the judiciary and the prosecutor's office; however, senior government and party officials influence the courts, although likely to a lesser degree than in the past. Impunity is a problem, as is corruption. Many observers believe that judges can be bribed. The National Assembly Standing Committee appoints judges for 5-year terms; the executive appoints the Standing Committee. The Assembly may remove judges from office for "impropriety." Since 1991 one judge at the district level has been removed for improper behavior.

The People's Courts have three levels: District; municipal and provincial; and a Supreme Court. Decisions of both the lower courts and separate military courts are subject to review by the Supreme Court. Both defendants and prosecutors have the right to appeal an adverse verdict. There are instances in which civilians may be tried in the military courts, but this reportedly is rare.

The Constitution provides for open trials in which defendants have the right to defend themselves with the assistance of a lawyer or other person. The Constitution requires that the authorities inform persons of their rights. The law states that defendants may have anyone assist them in preparing a written case and accompany them at their trial; however, only the defendant may present oral arguments at a criminal trial. Due to lack of funds, most defendants do not have attorneys or trained representatives. Defendants enjoy a presumption of innocence; however, in practice lawyers face severe restrictions in criminal cases. Most trials are little more than direct examinations of the accused, although judges appear not to hold preconceived views of a trial's outcome. Most criminal trials reportedly end in convictions. Defendants sometimes are not permitted to testify on their own behalf. Trials for alleged violations of some security laws and trials that involve state secrets, children under the age of 16, or certain types of family law, are closed.

In some instances, police administratively overrule court decisions, at times detaining a defendant exonerated by the court, in violation of the law.

In addition to the hundreds of short- and long-term political detainees (see Section 1.d.), there are four known political prisoners. Two prisoners from the pre-1975 regime, Colonel Sing Chanthakoumane and Major Pang Thong Chokbengvoun, are serving life sentences after trials that did not appear to be conducted according to international standards. Two former government officials, Latsami Khamphoui and Feng Sakchittaphong, were detained in 1990 for advocating a multiparty system and criticizing restrictions on political liberties, and were not tried until 1992. They are serving 14-year sentences based on their 1992 convictions.

Other political prisoners may have been arrested, tried, and convicted under security laws that prevent public court trials; however, there is no reliable method to ascertain accurately their total number. There have been no verifiable reports of other political prisoners in the last few years. International humanitarian organizations are not permitted to visit political prisoners, or any other prisoners (see Section 1.c.).

#### f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Government limits citizens' privacy rights, and the Government's surveillance network is vast. Security laws allow the Government to monitor individuals' private communications (including e-mail) and movements. However, some personal freedoms accorded to citizens expanded along with the liberalization of the economy.

The Constitution prohibits unlawful searches and seizures; however, police at times disregarded constitutional requirements to safeguard citizens' privacy, especially in rural areas. By law security police may not authorize their own searches; they must have approval from a prosecutor or court. However, in practice police did not always obtain prior approval. The Penal Code generally protects privacy, including that of mail, telephone, and electronic correspondence; however, the government violates such legal protections.

MOI forces monitor citizens' activities; in addition an informal militia in both urban and rural areas has responsibility for maintaining public order and reporting "undesirable elements" to the police. Militia usually concern themselves more with petty crime and instances of moral turpitude than with political activism, although some rural militia may be used for security against insurgents. A sporadically active system of neighborhood and workplace committees under the aegis of the popular front organizations plays a similar monitoring role.

The Government permits the public sale of few leading foreign magazines and newspapers; however, restrictions on publications mailed from overseas are enforced loosely (see Section 2.a.). The Government allows citizens to marry foreigners but only with prior approval. Although the Government routinely grants permission, the process is lengthy and burdensome. Marriages to foreigners without government approval may be annulled, with both parties subject to arrest or fines.

The Government displaced internally hundreds of persons during the year, mainly as a result of organized infrastructure development programs. The Government provides compensation to displaced persons in the form of land and household supplies.

There are two Internet service providers. In the second half of 2000, the National Internet Control Committee in the Prime Minister's Office began a review of national telecommunications and Internet access procedures; the Committee stated that it intends to monitor and control more actively Internet communications by the country's approximately 3,000 subscribers. In September the Prime Minister's Office approved rules that established a single gateway for Internet service.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government severely restricts political speech and writing in practice. The Government also prohibits most criticism that it deems harmful to its reputation. The Penal Code forbids slandering the State, distorting party or state policies, inciting disorder, or propagating information or opinions that weaken the State. Citizens who lodge legitimate complaints with government departments generally do not suffer reprisals. However, government concern regarding potentially violent public displays of discontent over failed economic policies and concern over the series of terrorist bombings that began in 2000 led to tighter control of the media during the first part of the year, although such restrictions loosened to some extent later in the year. Newspapers did not report on investigations into the causes of any of the eight bombs that exploded in Vientiane in 2000, nor did they report on the February bombing in Luang Prabang or on the investigation into the bombing at Friendship Bridge (see Section 1.c.); newspapers speculated that the Friendship Bridge explosion was caused by antigovernment groups or terrorists.

All domestic print and electronic media are state-owned and controlled. Local news in all media reflects government policy. Television talk shows and opinion articles refer only to differences in administrative approach. However, translations of foreign press reports generally are without bias, and access to Thai radio and television and foreign-based Internet servers generally is unhindered. A few Asian and Western newspapers and magazines are available through private outlets that have government permission to sell them.

Foreign journalists must apply for special visas. Although such visas normally are granted, persons traveling on journalist visas are restricted in their activities. The authorities do not allow journalists free access to information sources or to travel without official escort. In addition, they must pay a daily fee for the services of their escort.

Authorities also prohibited the dissemination of materials deemed to be indecent, to undermine the national culture, or to be politically sensitive. Any person found guilty of importing a publication deemed offensive to the "national culture" faces a fine or imprisonment for up to 1 year. The Government does not permit the printing of non-Buddhist religious texts or their distribution outside a congregation and restricts the import of foreign religious texts and artifacts (see Section 2.c.).

Films and music recordings produced in government studios must be submitted for official censorship. However, in practice most foreign films and music are easily available in video and compact disc format. Government enforcement of restrictions on nightclub entertainment generally was lax during the year.

Citizens have 24-hour access to Cable News Network and the British Broadcasting Corporation, among other international stations accessible via satellite television. The Government requires registration of receiving satellite dishes and a one-time licensing fee for their use, largely as a revenue-generating scheme, but otherwise makes no effort to restrict their use.

The Government controls all domestic Internet servers and blocks access to those Internet sites that are deemed pornographic or are critical of government institutions and policies, although such blockages are infrequent. The Government also sporadically monitors e-mail. In October 2000, the National Internet Control

Committee promulgated highly restrictive regulations regarding Internet use by citizens. The regulations significantly curtailed freedom of expression and made "disturbing the peace and happiness of the community" and "reporting misleading news" criminal acts. In addition during the year, the Prime Minister's Office issued orders consolidating government control over Internet service (see Section 1.f.). However, the Government in the past has been limited in its ability to enforce such regulations.

The Constitution provides for academic freedom; however, the Government restricts it, although over the past several years it has relaxed its restrictions in certain areas. Lao and Western academic professionals conducting research in the country may be subject to restrictions on travel and access to information and Penal Code restrictions on publication. As the sole employer of virtually all academic professionals, the Government exercises some control over their ability to travel on research or obtain study grants. However, the Government, which once limited foreign travel by professors, actively seeks out these opportunities worldwide and approves virtually all such proposals.

In recent years, credible reports have indicated that some state and party officials denied some academically qualified ethnic minorities, including Hmong, opportunities for foreign fellowships and study abroad. This discriminatory behavior goes unchecked. On rare occasions in previous years, the Government denied government employees who were not party members permission to accept certain research or study grants, apparently because they had chosen not to join the LPRP. No such cases are known to have occurred during the year.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricts this right in practice. The Penal Code prohibits participation in an organization for the purpose of demonstrations, protest marches, or other acts that cause "turmoil or social instability." Such acts are punishable by a prison term of from 1 to 5 years. If defendants are tried for crimes against the State, they may face much longer sentences of up to 20 years or possible execution. In October five foreigners belonging to the Transnational Radical Party were arrested in Vientiane for protesting the October 1999 arrest of student protesters (see Section 1.d.). They were held for 2 weeks before being tried and sentenced to 5 years each for "creating social turmoil." The sentences were commuted, and they were expelled from the country.

The Constitution provides citizens with the right to organize and join associations; however, the Government restricts this right in practice. The Government registers and controls all associations and prohibits associations that criticize it. Political groups other than popular front organizations approved by the LPRP are forbidden. Although the Government restricts many types of formal professional and social associations, in practice informal nonpolitical groups meet without hindrance. The Foundation for Promoting Education, a private voluntary organization in Vientiane Municipality, was active during the year and awarded prizes for educational achievement and scholarships to needy students. The group operates independently under its own charter; however, it reports to the Ministry of Education. The Buddhist Promotion Foundation is a semiprivate group founded in 1998 by the Lao Buddhist Fellowship Association, which reports to the LPRP Lao National Front for Construction, an LPRP popular front organization responsible for overseeing all religions.

#### c. Freedom of Religion

The Constitution provides for freedom of religion; however, the authorities, particularly at the local level, interfere with this right in practice. The Constitution prohibits "all acts of creating division of religion or creating division among the people." The LPRP and Government apparently interpret this section as inhibiting religious practice by all persons, including the Buddhist majority and a large population of animists. Although official pronouncements accepted the existence of religion, they emphasized its potential to divide, distract, or destabilize.

The Constitution notes that the State "mobilizes and encourages" monks, novices, and priests of other religions to participate in activities "beneficial to the nation and the people." The Department of Religious Affairs in the LPRP Lao National Front for Construction, an LPRP popular front organization, is responsible for overseeing all religions.

During the year, government authorities arrested and detained more than 60 Christians, at times holding them in custody for months. In some cases, prisoners were handcuffed, detained in leg chains and stocks, and subjected to psychological pressure.

In Luang Prabang Province, three prisoners are serving 2- to 3-year terms for peaceful religious activities deemed to be "creating social turmoil." In Oudomxay one person is serving a 12-year sentence and another a

15-year sentence for religious proselytizing, purportedly in coordination with foreigners. The more severe sentences in Oudomxay were based on harsh Penal Code provisions for acts against the State.

Church closings and forced renunciations of faith continued in a number of provinces. In Savannakhet province, a renunciation and church-closing campaign begun in 1999 had led to the closure of at least 24 of the province's 32 Lao Evangelical (LE) churches by year's end. All of Luang Prabang Province's 40 LE churches were closed by year's end. Of the approximately 60 LE churches in Vientiane Province, 20 were closed between 1999 and year's end, including the 2000 closing of a church in a refugee returnee village which the authorities agreed could be established under the auspices of the U.N. High Commissioner for Refugees (UNHCR). District-level police, military, and National Front authorities instructed Christians, especially Christians from the Khmu and Hmong ethnic groups, to renounce their faith or face harsh penalties including arrest, denial of educational opportunities for their children, and restrictions on access to government services. There were no reports of security forces stopping all large vehicles that carried multiple passengers during Sunday worship hours in order to prevent villagers from traveling to attend worship services as had occurred in the past (see Section 2.d.).

The LPRP controls the Buddhist clergy (Sangha) in an attempt to direct national culture. After 1975 the Government attempted to "reform" Buddhism and ceased to consider it the state religion, causing thousands of monks to flee abroad, where most still remain. The Government has only one semireligious holiday--Boun That Luang--which also is a major political and cultural celebration. However, the Government recognizes the popularity and cultural significance of Buddhist festivals, and most senior officials openly attend them. Buddhist clergy are featured prominently at important state and party functions. The Lao National Front directs the Lao Buddhist Fellowship Association, and requires monks to study Marxism-Leninism, attend certain party meetings, and combine teaching of Buddhism with teaching of party-state policies. In recent years, some individual temples have been permitted to receive support from Theravada Buddhist temples abroad, to expand the training of monks, and to focus more on traditional teachings.

The authorities continued to be suspicious of parts of religious communities other than Buddhism, including some Christian groups, in part because these faiths do not share Theravada Buddhism's high degree of direction and incorporation into the government structure. The authorities especially appear to suspect those religious groups that receive funding from overseas, aggressively proselytize, or give targeted assistance to converts. The Government strictly prohibits foreigners from proselytizing, although it permits foreign nongovernmental organizations with religious affiliations to work in the country. Foreign persons caught distributing religious material may be arrested or deported. In February the authorities detained and subsequently deported five noncitizens, including three Chinese nationals, for distributing Falun Gong leaflets. The authorities also briefly detained the members of two other groups, one from the Philippines and one from Thailand, for distributing religious materials. The members of the Philippine group subsequently were allowed to remain in the country after the authorities had seized their religious materials; however, the members of the Thai group were expelled. Although there is no prohibition against proselytizing by citizens, local government increasingly investigated and harassed citizens who do so under the constitutional provision against "creating division of religion."

The Government's tolerance of religion varied by region. In general central government authorities appeared unable or unwilling to control or mitigate harsh measures that were taken by local or provincial authorities against the practices of members of minority religious denominations. Although there was almost complete freedom to worship in a few areas, particularly in the largest cities, government authorities in many regions allowed properly registered religious groups to practice their faith only under restrictive conditions. In some areas, such as Savannakhet, Luang Prabang, Phongsaly, Houaphanh, Oudomxay, and Attapeu, the authorities arrested and detained some religious believers without charges (see Section 1.d.). There were no reports during the year that local officials in isolated areas monitored and arrested persons who converted to Christianity, as had occurred in the past. In several areas, including Luang Prabang, Savannakhet, and Vientiane provinces, the authorities continued to force some Christians to sign renunciations of their faith. Some detainees and prisoners were forced to sign renunciations of their faith as a condition of their release as well. In previous years, followers of Islam and the Baha'i faith also have been monitored and arrested, although there were no known cases of monitoring and arrest of Muslims and Baha'i believers during the year.

Citizens in Vientiane and Luang Prabang provinces continued to report that local authorities ordered them, under threat of arrest, to stop their open practice of Christianity completely. Local officials monitored Christians closely to ensure that they did not practice their religion and harassed and arrested some Christians who violated these policies.

In the southern part of the country, the authorities generally tolerated diverse religious practices; however, a pattern of petty local harassment persists in some areas. Many converts must undergo a series of harsh government interviews; however, after overcoming that initial barrier, they generally are permitted to practice their new faith unhindered. Members of long-established congregations had few problems in practicing their

faith; however, some churches established a century ago continued to be subjected to harassment and closure by local government officials in Savannakhet. Many groups of coreligionists seeking to assemble in a new location are prevented from meeting, practicing, or celebrating major religious festivals.

The authorities sometimes advised new congregations to join other religious groups with similar historical roots, despite clear differences between the groups' beliefs. Some groups did not submit applications to establish places of worship because they did not believe that their applications would be approved. In recent years, some minority religious groups have reported that they were unable to register new congregations or receive permission to establish new places of worship, including in Vientiane.

The Roman Catholic Church is unable to operate effectively in the highlands and much of the north. However, it has an established presence in five of the most populous central and southern provinces, where Catholics are able to worship openly. There are three official bishops, one each in Vientiane, Thakhek, and Pakse, as well as a fourth bishop for Luang Prabang whose position has not been approved by the country's authorities and who resides in Vientiane. The small Catholic community in Luang Prabang holds services in members' homes, but they are sporadic.

Over 250 Protestant congregations conduct services throughout the country. The Lao National Front has recognized two Protestant groups: The Lao Evangelical Church (the umbrella Protestant church) and the Seventh-Day Adventist Church. The Front strongly encourages all other Protestant groups to become a part of the Lao Evangelical Church. The Government has granted permission to these approved denominations to have a total of four church buildings in the Vientiane area. In addition the Lao Evangelical Church has maintained church buildings in Savannakhet and Pakse.

The Government permits major religious festivals of all established congregations without hindrance. Two mosques and two Baha'i centers operate openly in Vientiane municipality; two other Baha'i centers are located in Vientiane Province and Pakse. Five Mahayana Buddhist pagodas are located in Vientiane, and others are found in larger cities and towns.

Animists generally experience no interference from the Government in their religious practices, which vary extensively among the approximately 70 identified ethnic groups and tribes in the country. However, the Government actively discourages animists from conducting religious practices that it regards as outdated or illegal, such as the practice in some tribes of allowing children to marry.

The Government does not permit the printing of non-Buddhist religious texts or their distribution outside a congregation and restricts the import of foreign religious texts and artifacts. The Government requires and usually grants its permission for formal links with coreligionists in other countries; however, in practice the distinction between formal and informal links is unclear, and relations with coreligionists generally are established without much difficulty.

#### d. Freedom of Movement Within the Country, Foreign Travel, Migration, and Repatriation

The Constitution provides for these rights; however, the Government restricts some of them in practice. Citizens who travel across provincial borders no longer are required to report to authorities upon their departure and arrival. However, in designated security zones, roadblocks and identity card checks of travelers are routine. Citizens who seek to travel abroad are required to apply for an exit visa. The Government usually grants such visas; however, officials at the local level have denied permission to apply for passports and exit visas to some persons seeking to emigrate. Access by foreigners to certain areas, such as the Saysomboune Special Zone, an administrative area operated by the military forces, is restricted for safety and security reasons.

There were no reports that security forces in villages where churches had been closed stopped all large vehicles carrying multiple passengers during Sunday worship hours in order to prevent villagers from traveling to attend worship services, as had occurred in the past (see Section 2.c.).

Although bandit and insurgent attacks on road traffic in northern Laos have occurred in the past, no such attacks were known to have occurred during the year.

Since 1980 more than 29,060 citizens who sought refugee status in Thailand, China, and other countries have returned to Laos for permanent resettlement under monitoring by the UNHCR. There were a small number of returnees during the year. The Government cooperates with the UNHCR to assist such returnees to reintegrate. Many are ethnic Hmong and other minorities. These returnees generally have been subject to more suspicion and scrutiny by the authorities than other citizens. Nevertheless, many who fled after the



change of government in 1975 have visited relatives, some have stayed and gained foreign resident status, and some have reclaimed citizenship successfully. A small group, tried in absentia in 1975 for antigovernment activities, does not have the right of return (see Section 1.d.).

The Constitution provides for asylum and the protection of stateless persons under the law. In practice, the Government does not provide first asylum, and generally does not cooperate with the UNHCR in such cases. During the year, three Chinese citizens who were arrested in Vientiane for distributing information on Falun Gong were expelled from the country reportedly back to China where they faced arrest (see Section 2.c.).

Eight lowland Lao men who returned from China in 1997 were detained without trial. One was released during the year, but the seven others remain in detention.

Some refugee returnees carry government-issued identification cards with distinctive markings, ostensibly for use by authorities. Such cards tend to reinforce a pattern of societal discrimination against the refugees.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. The Constitution provides for a representative National Assembly, elected every 5 years in open, multiple-candidate, fairly tabulated elections, with voting by secret ballot and universal adult suffrage; however, it legitimizes only a single party, the LPRP. Election committees, appointed by the National Assembly, must approve all candidates for local and national elections. Candidates need not be LPRP members, but in practice almost all are.

The National Assembly chooses a standing committee generally based on the previous standing committee's recommendation. Upon the committee's recommendation, the National Assembly elects or removes the President and Vice President. The standing committee also has supervision of administrative and judicial organizations, and the sole power to recommend presidential decrees. It also appoints the National Election Committee, which has powers over elections (including approval of candidates). Activities of the standing committee are not fully transparent.

The National Assembly, upon the President's recommendation, elects the Prime Minister and other Ministers in the Government. The 99-member National Assembly, elected in 1997 under a system of universal suffrage, approved the LPRP's selection of the President in 1998, and ratified the President's selection of a new Prime Minister in March.

The National Assembly may consider and amend draft legislation but may not propose new laws. The Constitution gives the right to submit draft legislation to the National Assembly standing committee and the ruling executive structure.

The percentage of women in government and politics does not correspond to their percentage of the population. However, women increased their representation in the National Assembly in 1997 elections from 9 percent to 20 percent, as 20 of the 27 female candidates won seats. Three members of the 53-member LPRP Central Committee are women, 2 of whom are also members of the 7-member standing committee in the National Assembly. There are no women in the Politburo or the Council of Ministers.

The proportions of ethnic minority members in the 99-member National Assembly--10 Lao Soung (highland dwelling tribes) and 26 Lao Theung (mid-slope dwelling tribes)--are consistent with their proportions in the general population. There are 10 Hmong in the National Assembly. Men of lowland Lao origin dominate the upper echelons of the Party and the Government. Nonetheless, at least 3 cabinet ministers, and 36 members of the National Assembly are reported to be members of ethnic minority groups.

### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no domestic nongovernmental human rights organizations, and the Government does not have a formal procedure for registration. Any organization wishing to investigate and publicly criticize the Government's human rights policies would face serious obstacles if it were permitted to operate at all.

The Government in general does not respond to requests for information on the human rights situation from international human rights organizations.

The Government maintains contacts with the International Committee of the Red Cross (ICRC); government

officials received ICRC training on human rights law in 1998, and the Government continues to translate international human rights and humanitarian law conventions with ICRC support. The Government permitted U.N. human rights observers to monitor the treatment of almost 30,000 returned refugees in all parts of the country with minimal interference (see Section 2.d.); however, it occasionally obstructs monitoring by delaying visits of U.N. human rights monitors to sites outside Vientiane.

A human rights unit in the Ministry of Foreign Affairs' Department of International Treaties and Legal Affairs has responsibility for inquiry into allegations of human rights violations. This government unit rarely responds to inquiries regarding individual cases. In 2000 it published a partial compilation of international conventions on human rights in Lao.

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal treatment under the law for all citizens without regard to sex, social status, education, faith, or ethnicity. Although the Government at times took action when well-documented and obvious cases of discrimination came to the attention of high-level officials, the legal mechanism whereby a citizen may bring charges of discrimination against an individual or organization is neither well developed nor widely understood among the general population.

##### Women

There are reports that domestic violence against women occurs, although it is not widespread. Spousal abuse is illegal. Rape reportedly is rare. In cases of rape that are tried in court, defendants generally are convicted with penalties ranging from 3-years imprisonment to execution. Spousal rape is not illegal.

Trafficking in women and girls for prostitution is a problem (see Section 6.f.). Prostitution is illegal with penalties ranging from 3 months to 1 year in prison.

Sexual harassment is rare. Although sexual harassment is not illegal, "indecent sexual behavior" toward another person is illegal and punishable by 6-months to 3-years imprisonment.

The Constitution provides for equal rights for women, and the Lao Women's Union operates nationally to promote the position of women in society. The Family Code prohibits legal discrimination in marriage and inheritance. Discrimination against women is not generalized; however, varying degrees of traditional culturally based discrimination persist, with greater discrimination practiced by some hill tribes. Many women occupy responsible positions in the civil service and private business, and in urban areas their incomes are often higher than those of men.

In the period from 1998 through 2001, the Government increased support for development programs designed to improve the position of women in society, including in the political system.

##### Children

The level of support for education is very low. Education is free and compulsory through the fifth grade; however, fees for books, uniforms, and equipment, among other things, preclude children from rural areas and poor urban families from complying with this requirement. According to government statistics, 80 percent of primary school age children, 47 percent of junior high school age children, and 22 percent of high school age children are enrolled in school. There is significant difference in the treatment of boys and girls in the educational system: Female literacy is 48 percent versus 70 percent for males. However, men and women attend the three universities in approximately equal numbers. Although the Government has made children's education and health care a priority in its economic planning, funding for children's basic health and educational needs is inadequate.

Violence against children is prohibited by law, and violators are subject to stiff punishments. Reports of the physical abuse of children are rare. Trafficking in girls for prostitution and forced labor is a problem (see Section 6.f.). Other forms of child labor generally are confined to family farms and enterprises (see Section 6.d.).

##### Persons with Disabilities

With donor assistance, the Government is implementing limited programs for persons with disabilities, especially amputees. The law does not mandate accessibility to buildings or government services for persons

with disabilities, but the Labor and Social Welfare Ministry has established some regulations regarding building access and some sidewalk ramps in Vientiane. The Lao National Commission for the Disabled (LNCD) has promulgated regulations to protect the rights of persons with disabilities, and in 2000 the Lao Disabled Persons Association set up offices in Champassak and Xieng Khouang provinces to assist with the rehabilitation, job skills training, and social integration of persons with disabilities. In 2000 the LNCD also hosted a regional conference on disabilities in Vientiane to promote leadership and organizational skills for persons with disabilities.

#### Religious Minorities

The enhanced status of Buddhism in Luang Prabang--famed for its centuries-old traditions and numerous temples--apparently led some local officials there to act more harshly toward other religions, particularly toward Christians and Baha'is, than in other areas of the country (see Section 2.c.).

In November unknown assailants shot and killed a Christian pastor near his home in Sayaboury Province. The attack was the second attempt on the pastor's life. At year's end, the murder remained unsolved.

#### National/Racial/Ethnic Minorities

The Constitution provides for equal rights for all minority citizens, and there is no legal discrimination against them. However, societal discrimination persists.

Approximately half the population is ethnic Lao, also called "lowland Lao." Most of the remainder is a mixture of diverse upland hill tribes whose members, if born in Laos, are Lao citizens. There are also ethnic Vietnamese and Chinese minorities, particularly in the towns. The Law on Nationality provides a means for the Vietnamese and Chinese minorities to normalize their citizenship; a small number did so during the year. There is also a small community of South Asian origin. The Government encourages the preservation of minority cultures and traditions; however, due to their remote location and inaccessibility, minority tribes have little voice in government decisions affecting their lands and the allocation of natural resources.

The Hmong are one of the largest and most prominent highland minority groups. There are a number of Hmong officials in the senior ranks of the Government and LPRP, including at least five members of the LPRP Central Committee. However, societal discrimination against the Hmong continues. In recent years, the Government focused some limited assistance projects in Hmong areas in order to address regional and ethnic disparities in income. Some international observers claim that governmental policies aimed at assimilating the Hmong into the larger society--such as regional boarding schools--are not respectful of Hmong native culture; others see this approach as an escape from centuries of poverty.

In combating the ongoing Hmong insurgency in the north, government forces mistreated Hmong suspected of harboring insurgents (see Sections 1.a. and 1.c.).

During the year, the Government continued to assist citizens, largely members of ethnic minorities, who returned to the country after having fled in 1975. Central and local government officials worked with organizations such as the UNHCR to provide land and a sustainable level of economic security. Repatriated Hmong at times face greater discrimination than those Hmong who remained. A number of Hmong returnees were forced to renounce their Christian faith, and in 2000, the authorities closed one church in a returnee village. However, international observers who monitored repatriation efforts reported no significant human rights violations.

The Constitution states that foreigners and stateless persons are protected by "provisions of the laws," but in practice they do not enjoy the rights provided for by the Constitution. During the year, there were isolated cases of foreigners of Hmong ethnicity who, when arrested or detained, suffered discrimination compare with foreigners of other ethnic backgrounds and were denied due process, apparently on the basis of their ethnicity.

#### Section 6 Worker Rights

##### a. The Right of Association

Under the law, labor unions may be formed in private enterprises as long as they operate within the framework of the officially sanctioned Federation of Lao Trade Unions (FLTU), which in turn is controlled by the LPRP. Most of the FLTU's approximately 77,000 members work in the public sector.

The State employs the majority of salaried workers, although this situation is changing as the Government privatizes state enterprises and otherwise reduces the number of its employees. Subsistence farmers make up an estimated 85 percent of the work force.

Strikes are not prohibited by law, but the Government's ban on subversive activities or destabilizing demonstrations (see Section 2.b.) makes a strike unlikely, and none were reported during the year. However, the Labor Code does not prohibit temporary work stoppages.

With advice from the International Labor Organization (ILO), including a foreign expert provided by the ILO to work with the Ministry of Labor and Social Welfare, the Government in 1994 revised the Labor Code in an effort to clarify the rights and obligations of workers and employers. However, the 2001 Report of the ILO Committee of Experts cited the Government for its failure to submit reports on ratified conventions required of member states. Furthermore, the Government has not replied to comments from the Committee from 7 years ago.

The FLTU is free to engage in contacts with foreign labor organizations, which during the year included contacts with the Association of Southeast Asian Nations (ASEAN) Trade Unions and the Asia-Pacific American Labor Alliance. The FLTU is a member of the World Federation of Trade Unions.

#### b. The Right to Organize and Bargain Collectively

There is no right to organize and bargain collectively. The Labor Code stipulates that disputes be resolved through workplace committees composed of employers, representatives of the local labor union, and representatives of the FLTU, with final authority residing in the Ministry of Labor and Social Welfare. Labor disputes reportedly are infrequent. The Government sets wages and salaries for government employees, while management sets wages and salaries for private business employees.

The Labor Code stipulates that employers may not fire employees for conducting trade union activities, for lodging complaints against employers about labor law implementation, or for cooperating with officials on labor law implementation and labor disputes. Workplace committees are one mechanism used for resolving complaints.

There are no export processing zones. A law to establish a special economic zone in Savannakhet province is under consideration.

#### c. Prohibition of Forced or Compulsory Labor

The Labor Code prohibits forced labor except in time of war or national disaster, during which time the State may conscript laborers. The Code also prohibits forced or bonded labor by children under age 15, and generally this is enforced effectively; however, trafficking in women and children is a problem and reports that children are being lured into other countries for sexual exploitation and slave labor continued (see Section 6.f.).

#### d. Status of Child Labor Practices and Minimum Age for Employment

Under the Labor Code, children under age 15 may not be recruited for employment, except to work for their families, provided that such children are not engaged in dangerous or difficult work. Many children help their families on farms or in shops. Child labor is rare in industrial enterprises. The Ministries of Interior and Justice are responsible for enforcing these provisions, but enforcement is ineffective due to a lack of inspectors and other resources. Some garment factories reportedly employ a very small number of underage girls. The Government has not ratified ILO Convention 182 against the worst forms of child labor. The Labor Code prohibits forced and bonded labor performed by children under age 15, and this provision of the law generally is enforced effectively; however, there were reports that children were lured into sexual exploitation and slavery abroad (see Sections 6.c. and 6.f.).

#### e. Acceptable Conditions of Work

The Labor Code provides for a workweek limited to 48 hours (36 hours for employment in dangerous activities). The Code also provides for at least 1 day of rest per week. The daily minimum wage is \$0.53 (4,000 kip), which is insufficient to provide a decent standard of living for a worker and family. Most civil servants receive inadequate pay. However, few families in the wage economy depend on only one member for income. Some piecework employees, especially on construction sites, earn less than the minimum wage.

The Labor Code provides for safe working conditions and higher compensation for dangerous work. Employers are responsible for all expenses for a worker injured or killed on the job, a requirement generally fulfilled by employers in the formal economic sector. The Labor Code also mandates extensive employer responsibility for those disabled while at work. During the year, this law was enforced adequately. Although workplace inspections reportedly have increased over the past several years, the Ministry of Labor and Social Welfare lacks the personnel and budgetary resources to enforce the Labor Code effectively. The Labor Code has no specific provision allowing workers to remove themselves from a dangerous situation without jeopardizing their employment.

There are a number of illegal immigrants in the country, particularly from Vietnam, and they are vulnerable to exploitation by employers. Some illegal immigrant Vietnamese children work selling goods on the streets of Vientiane.

#### f. Trafficking in Persons

The Penal Code prohibits abduction and trade in persons as well as the constraint, procuring, and prostitution of persons; however, trafficking in persons, particularly women and children, is a problem. Laos is primarily a country of origin for trafficking in persons and to a lesser extent, a transit country. Although there is no reliable data available on the scope and severity of the problem, rough estimates indicate that from 15,000 to 20,000 Lao girls and young women are trafficked annually for purposes of prostitution mostly to Thailand; some are trafficked to China. Some young men are also victims. Additionally, as many as 100,000 citizens annually travel to Thailand to participate in seasonal agricultural labor and some urban labor as well. Many of these citizens are illegally in Thailand and vulnerable to exploitation; some are trafficked only after their arrival in Thailand. A much smaller number of foreign nationals are transited through Laos, including Burmese to China and Thailand, and Vietnamese to Thailand. In recent years, highland minority women from the interior of the country have become the group most vulnerable to traffickers.

Labor recruiters in the country usually are citizens with experience in cross-border labor and, for the most part, with no connection to organized crime, commercial sexual exploitation, or the practice of involuntary servitude. They simply may be assisting fellow villagers.

There are no reports of official involvement in trafficking; however, anecdotal evidence suggests that local officials know of trafficking activities and a very few profit from them. At least one major trafficker in the southern part of the country is said to be acting with impunity.

In the past, the Government has prosecuted some persons for involvement in such recruiting activities. During the year, law enforcement agencies conducted a minimal number of raids on entertainment establishments accused of fostering prostitution.

The Ministry of Labor and Social Welfare (MLSW) has a five-person unit devoted to children with special needs, including protection and prevention of trafficking. However, the unit's effectiveness is limited by a small budget, inadequate international assistance, and a lack of trained personnel. The MLSW and the Lao Women's Union have conducted pilot studies on antitrafficking information campaigns. Due to financial constraints the Government has conducted only limited campaigns in a few border towns.

The Government has increased monitoring and educational programs provided by the Lao Women's Union and the Youth Union, both party-sanctioned organizations, designed to educate girls and young women regarding the schemes of recruiters for brothels and sweatshops in neighboring countries and elsewhere.

Some victims are punished for improper documentation or for crossing the border illegally. The victims have no recourse to relief. Some local authorities have ordered trafficking victims into reeducation seminars and subjected them to substantial fines. The Government remains concerned about children being lured into sexual exploitation and slave labor in other countries, but the Government denied that there were any problems in the country that involve child prostitution. The National Commission for Mothers and Children, established in 1992 and chaired by the Foreign Minister, continues an active program with support from the U.N. Children's Fund. At the Government's invitation, the U.N. Special Rapporteur on Trafficking in Children visited in 1998.